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## First Committee

**22**nd Meeting

Thursday, 14 November 1996, 10 a.m.

New York

*Chairman*: Mr. Alyaksandr Sychou . . . . . (Belarus)

*The meeting was called to order at 10.15 a.m.*

**Agenda items 60, 61, 63-81** *(continued)*

**Action on draft resolutions submitted on all disarmament and international security agenda items**

**The Chairman:** Before we proceed with our programme of work for today, I should like first to complete the procedure in connection with the action taken yesterday by the Committee on draft resolution A/C.1/51/L.4/Rev.1, as amended. Secondly, I should like to make a few comments on the rules of procedure for our work, which I intend to follow very strictly.

Regarding the first matter, it is my understanding that all delegations wishing to explain their vote after the voting have done so. It is therefore my intention to call now on the delegation of Argentina to make a general statement in connection with draft resolution A/C.1/51/L.4/Rev.1, as amended. As members may recall, the Argentine delegation yesterday asked to make its statement at today's meeting.

**Mr. Deimundo Escobal** (Argentina) (*interpretation from Spanish*): Upon instructions by my Government, the delegation of Argentina would like to make the following comments on the issue of the nuclear-weapon-free Southern Hemisphere and adjacent areas, which was taken up yesterday by this Committee.

We would like to stress that for the Republic of Argentina in particular, located as it is in the Southern Hemisphere, the title of the draft resolution refers to the South Atlantic, an area that has historically been of special political and economic interest for my country. As members of the first denuclearized zone in the world — thanks to the Treaty of Tlatelolco, a pioneering instrument promoted by Mexico that now serves as a prototype for other treaties — we take a careful, pacifist approach to the South Atlantic, and we genuinely aspire to effective consolidation of the various nuclear-weapon-free zones.

In this context, my country — which has modified its stance in the field of non-proliferation and which has committed itself firmly and materially to non-proliferation, nuclear disarmament and consensus-based, collective action on the part of this Organization — was struck by several countries' final pronouncements on draft resolution A/C.1/51/L.4/Rev.1, which was adopted yesterday by this Committee. The significance of those votes, apart from technical particularities, does not shed light on the reasons why those States spoke as they did about the draft resolution I mentioned earlier.

**The Chairman:** I should like now to turn to the second matter — namely, the question of the working procedure in this Committee.

Members will recall that on 11 November, at the beginning of the fourth phase of our work, namely, action on draft resolutions, the Committee, after some discussion, agreed unanimously to depart from the procedure for taking action on draft resolutions that it had followed at the fiftieth session of the First Committee. Thus, instead of making consolidated explanations of position on all draft resolutions in each cluster, either before or after the action, and taking action on all draft resolutions in each cluster without interruption, the Committee decided to act on each draft

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resolution separately with separate explanations of position on each draft resolution. This is exactly what we have been doing for the last three days.

However, in order to avoid any possible confusion, I should like to outline once again how I intend to conduct our work for the remainder of phase four.

First, before the Committee proceeds to take action on each cluster, delegations will be given an opportunity, if they indicate their desire to do so, to introduce draft resolutions or amendments or to make general statements other than the explanation of their position on the draft resolutions in that particular cluster.

Secondly, delegations will have an opportunity thereafter to explain their position before action is taken on the particular draft resolution contained in the cluster under consideration.

Thirdly, the Committee will then proceed to take action on the given draft resolution.

Fourthly, after the Committee has taken a decision on the draft resolution in question, delegations will be given an opportunity to explain their position.

In connection with the explanation of their position, I should like to remind all delegations that are sponsors of the draft resolution on which action is being taken by the Committee that they are not allowed — I repeat, not allowed — pursuant to the rules of procedure, to explain their position on the draft resolution in question. Those delegations will be allowed, however, to make general statements either prior to or after the action on the draft resolution in question.

Furthermore, I should like once again to urge those delegations wishing to ask for a recorded vote on any draft resolution or on particular paragraphs of draft resolutions to kindly inform the Secretariat of their intention before the Committee begins its action on that draft resolution.

Finally, I should like also to request those delegations wishing to explain their position before or after a decision to kindly inscribe their names on the list of speakers in a timely manner so as to avoid any misunderstanding regarding their wishes.

Concerning the questions that were raised by various delegations in connection with certain actions taken by the Committee yesterday, in conducting the work of the Committee I have benefited from the presence of advisers from the Office of Legal Affairs. I am given to understand that the procedures we followed were in line with the decision of the Committee taken on 11 November, to which I referred at the outset of my statement.

I believe that my explanation is quite clear and does not require any further discussion. I will follow this procedure very strictly, and I appeal to all delegations for their full cooperation. I know that I can count on each and every member in bringing our work to a successful conclusion. Time is of the essence, and we must utilize what remains of it as efficiently as possible. Therefore, without further ado, the Committee will continue with the fourth phase of its work.

As I informed the Committee yesterday, this morning we will proceed to take action on draft resolution A/C.1/51/L.37, contained in cluster 1, and draft resolution A/C.1/51/L.16, contained in cluster 3. Subsequently, the Committee will proceed to take action on the draft resolutions contained in clusters 4, 5, 6 and 7.

I now call on those delegations wishing to make general statements.

I see there are none.

The Committee will therefore proceed to take a decision on draft resolution A/C.1/51/L.37, contained in cluster 1.

I now call on those delegations wishing to explain their vote or position before the voting.

**Mr. Mernier** (Belgium) (*interpretation from French*): It is my honour to speak on behalf of the three Benelux countries — the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg.

Our three countries will vote against the draft resolution on the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons. Nevertheless, it should be abundantly clear that we are not voting against the actual opinion of the Court, because that complex and balanced opinion constitutes a very noteworthy contribution to the philosophy that should determine the attitude of responsible States towards nuclear weapons. Benelux therefore examined and considered the advisory opinion of the Court with great interest. Nonetheless, our three countries did not believe themselves authorized to read it in a selective way, because

the opinion rendered is indivisible. To choose a particular paragraph from the text can only destroy the opinion's overall balance and reduce to nothing the valuable contribution that the International Court of Justice has provided us.

We cannot agree with draft resolution A/C.1/51/L.37, because it is not what is suggested by its title. The stated goal of this text can be found in only four of its 17 paragraphs, and out of those four, three have no real significance. In fact, only operative paragraph 3 derives directly from the opinion of the Court. Draft resolution A/C.1/51/L.37 thus appears to treat the Court and the seriousness of this subject rather lightly, which we cannot allow. It opens the way to undesirable distortions of a legal text that our Assembly is not entitled to re-examine. Even more disturbing is the use of only one paragraph of the Court's advisory opinion, to back up a more polemical than realistic approach towards nuclear disarmament.

To go into the details of our nuclear disarmament philosophy would be beside the point. But suffice it to say that this is a priority objective that has been constantly recalled and tirelessly pursued by our Governments.

The process of ridding the world of nuclear weapons has been very successful in recent years because it has been based on realistic policies. I regret to say that the course charted in draft resolution A/C.1/51/L.37 leads us nowhere, and we refuse to embark upon it.

To rush headlong into difficult multilateral negotiations is not possible. It would work against bilateral nuclear disarmament, which is now on the right track, as well as impede multilateral action, whose recent success in the field of non-proliferation should not distract from what remains to be done. The ultimate aim of the total elimination of nuclear weapons and the need to add to the arsenal of non-proliferation are matters of priority for our countries. We do not wish to — nor can we — take any risks in this connection. The draft resolution that we are opposing serves neither the cause of disarmament nor that of nuclear non-proliferation.

**Ms. Crittenberger** (United States of America): The United States will vote against draft resolution A/C.1/51/L.37, entitled "Advisory Opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons", as well as on operative paragraphs 3 and 4, on which we understand a vote will be taken. Despite its title, and the very few references in it to the recent advisory opinion of the International Court of Justice, this draft resolution is not really about the Court's opinion. Instead, it repeats the calls made in other resolutions for immediate multilateral negotiations on a nuclear weapons convention. The United States has opposed that idea in the past and will continue to oppose it. Consequently, we will vote against operative paragraph 4, which calls for implementation of that idea.

In the second and fourth preambular paragraphs, language is selectively quoted from article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), and from the NPT Principles and Objectives document, so as to narrow the context of the NPT article VI obligations by omitting the phrase "general and complete disarmament". This omission distorts the article VI obligation so that it would appear to relieve non-nuclear-weapon States of any disarmament responsibilities. Operative paragraph 3 suffers from the same selective quote flaws. Indeed, paragraphs 3 and 4, taken together, attempt to turn the Court's advisory opinion into a legal edict that requires immediate negotiations and their rapid conclusion in a multilateral forum. For this reason, the United States will also vote against operative paragraph 3.

The eighth preambular paragraph also allows the implication that the multilateral forum should be the Conference on Disarmament. The United States takes its NPT article VI obligations very seriously. In fact, we reaffirmed them in the Principles and Objectives document of the 1995 Review and Extension Conference of the parties to the NPT. The Court's added wording on the obligation to bring such negotiations to a conclusion does not seem to change the substance of that duty, since the responsibility to pursue negotiations in good faith inherently involves seeking a successful conclusion to the negotiations.

As President Clinton told the General Assembly in September, as soon as Russia ratifies START II, the United States and Russia will begin discussions on further reductions in strategic forces. We remain convinced that this bilateral effort is currently the most sensible approach and the one most likely to achieve concrete results. A multilateral negotiating forum is simply not suited to the complexities of measures to reduce nuclear weapons. Our previous bilateral efforts have demonstrated that nuclear disarmament is an extremely intricate process involving careful trade-offs, specialized and highly tailored verification, and very sensitive security calculations. It is not realistic to imagine that a large multilateral forum could achieve the kind of real arms reductions that we envisage.

**Mr. Campbell** (Australia): Australia will abstain in the voting on the draft resolution concerning the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons. Australia is committed to the twin goals of preventing the proliferation of nuclear weapons and working through progressive, balanced steps towards complete nuclear disarmament. We are therefore sympathetic to the general aims embodied in the draft resolution, and see important differences between it and draft resolution A/C.1/51/L.39, which we voted against last Monday. There are, however, many steps to be taken on the road to the ultimate goal of nuclear disarmament before the question of a single nuclear weapons convention can be productively addressed. We would have preferred this draft resolution, and we urge all Member States to focus attention on the immediate and intermediate steps to take forward the process of nuclear disarmament.

**Mr. Rivasseau** (France) (*interpretation from French*): On 8 July 1996, the International Court of Justice issued an advisory opinion on the Legality of the Threat or Use of Nuclear Weapons. France had indicated to the Court that it would not consider it timely to respond to an openly political question that would lead the Court to go beyond its traditional functions. This advisory opinion does not endorse the positions of those who maintained that the use or threat of use of nuclear weapons was illegal under all circumstances. On the contrary, the advisory opinion shows that the use or threat of use of nuclear weapons may be considered lawful under exceptional circumstances falling within the definition of self-defence in the context of Article 51 of the Charter of the United Nations.

In this respect, I should like to recall that France's nuclear doctrine is exclusively deterrent and defensive in nature. France's deterrence is aimed at preventing war; it constitutes an element of stability and contributes to the maintenance of international peace and security. As far as France is concerned, nuclear weapons could in no way constitute an instrument of coercion or a combat weapon. Nuclear deterrence, as seen by France, is aimed at prohibiting any infringement of our vital interests, and the obvious conclusion of this is that the advisory opinion of the Court is fully compatible with France's deterrence doctrine.

I shall turn now to draft resolution A/C.1/51/L.37, which the First Committee is considering. This draft resolution gives a tendentious and questionable interpretation of the advisory opinion of the International Court of Justice. The draft resolution uses the technique of merging different elements, and quoting selectively. It draws on earlier resolutions that France and many other countries have never accepted. The draft resolution will contribute nothing to non-proliferation and nuclear disarmament. Those are the reasons why France will vote against the draft resolution.

France will continue its resolute action to promote collective security, arms reduction and the non-proliferation of nuclear weapons in the context established by the international community in the document on Principles and Objectives for nuclear non-proliferation and disarmament adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). France reaffirms its confidence in and support for the International Court of Justice, whose role is, more than ever, necessary for the international community.

In case a separate vote is requested on operative paragraphs 3 and 4 of draft resolution A/C.1/51/L.37, I should like to add several specific comments. Paragraph 3 quotes selectively from the advisory opinion of the Court, and seeks to emphasize one specific aspect of an advisory opinion that has many facets that we believe cannot be separated and disassociated. The approach adopted in paragraph 3 is therefore invalid. It does not duly respect the response of the Court, which is based on a number of indivisible factors, each of which should be read in the light of the others, just as the Court itself took the trouble to stress in paragraph 104 of its advisory opinion document in A/51/218. France is therefore obliged to vote against the paragraph.

As regards the substance of this paragraph, France's policy is clear and consistent. It is based on the scrupulous implementation of the decision on the Principles and Objectives for nuclear non-proliferation and disarmament of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). It highlights the importance of measures to give full effect to the provisions of article VI of the NPT, including a programme of action, a treaty on the total prohibition of nuclear testing, a convention on the production of fissile material and, lastly, the commitment of nuclear-weapon States to move systematically and gradually forward so as to reduce nuclear weapons as a whole and then eliminate them, and the determination of all States to work towards general and complete disarmament under strict and effective international control. France will continue to act in this way.

**Mr. Palsson** (Iceland): The advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons is an important development in the area of international law. Unfortunately, the text contained in draft resolution A/C.1/51/L.37 does not give a balanced view of the nuanced pronouncement of the Court on this issue. The text makes no pretence of presenting the Court's opinion in a fair and even-handed manner. Instead, it makes highly partial use of selected aspects of the opinion to further an arms control agenda that is nowhere to be found in the opinion itself. This includes an unhelpful attempt to subordinate bilateral nuclear disarmament negotiations, a primary responsibility of the nuclear-weapon States, to the Conference on Disarmament. Indeed, notwithstanding the well-meaning objective of the authors of the draft resolution to promote the worthy objective of nuclear disarmament, such a tendentious attempt to place the Court's opinion in a context extraneous to the opinion itself can only diminish the value of the contribution the Court has made by rendering its opinion. My delegation is not opposed, therefore, to supporting the draft resolution, but will abstain in the voting on it.

**Sir Michael Weston** (United Kingdom of Great Britain and Northern Ireland): The United Kingdom will vote against the draft resolution contained in document A/C.1/51/L.37, ostensibly on the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons, primarily on account of operative paragraph 4, which calls for the immediate commencement of multilateral negotiations leading to the early conclusion of a nuclear weapons convention prohibiting the development, production, testing, deployment, stockpiling, transfer and threat or use of nuclear weapons and providing for their elimination. It follows that if there is a separate vote on this paragraph, we shall vote against it. We would vote also against operative paragraph 3 if it were voted on separately because the quotation from article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) is partial and incomplete.

In addition, however, the draft resolution contains highly selective quotations from the Court's advisory opinion. The United Kingdom voted against resolution 49/75 K requesting the Court to render an advisory opinion on whether the threat or use of nuclear weapons was permitted in any circumstance under international law. We argued before the Court that the issue was not suitable for judicial determination. We note that on the specific question addressed to it, the Court concluded that it was unable to offer a definitive opinion.

The United Kingdom's vote against the draft resolution should not, however, be seen as detracting from the high regard in which we hold the Court. Indeed, it is because of this high regard for the Court that we deplore the draft resolution's politicization of the Court's opinion and thus of the Court itself.

**The Chairman**: Does any delegation wish to explain its vote or position before a decision is taken?

If not, the Committee will now take action on draft resolution A/C.1/51/L.37.

A recorded vote has been requested.

Separate votes on operative paragraphs 3 and 4 have also been requested.

I call on the Secretary of the Committee to conduct the voting.

**Mr. Lin** (Secretary of the Committee): Draft resolution A/C.1/51/L.37, entitled "Advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons", was introduced by the representative of Malaysia at the 15th meeting of the Committee on 6 November 1996. In addition to the sponsors listed in the draft resolution and those that appear in document A/C.1/51/INF/3, it was also sponsored by the following countries: Algeria, Bangladesh, Belize, Burundi, Ecuador, El Salvador, Guatemala, Papua New Guinea, Peru and Qatar.

The committee will now take a recorded vote on operative paragraph 3 of draft resolution A/C.1/51/L.37.

*A recorded vote was taken.*

*In favour*:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Denmark, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland,

Gabon, Germany, Ghana, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Samoa, San Marino, Saudi Arabia, Singapore, Slovakia, Slovenia, South Africa, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, Tunisia, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

*Against*:

France, Latvia, Monaco, Romania, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

*Abstaining*:

Andorra, Belarus, Bulgaria, Croatia, Czech Republic, Georgia, Greece, Israel, Kazakstan, Kyrgyzstan, Lithuania, Netherlands, Portugal, Republic of Korea, Republic of Moldova, Russian Federation, Spain, Tajikistan, the former Yugoslav Republic of Macedonia

*Operative paragraph 3 was retained by 115 votes to 7, with 19 abstentions.*

**Mr. Lin** (Secretary of the Committee): The Committee will now vote on operative paragraph 4 of draft resolution A/C.1/51/L.37.

*A recorded vote was taken.*

*In favour*:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahrain, Bangladesh, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burundi, Cambodia, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Ghana, Guatemala, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Malaysia, Maldives, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Samoa, San Marino, Saudi Arabia, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

*Against*:

Belgium, Canada, Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, Monaco, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

*Abstaining*:

Andorra, Argentina, Australia, Austria, Azerbaijan, Belarus, Bulgaria, Congo, Croatia, Cyprus, Finland, Gabon, Georgia, Ireland, Israel, Japan, Kazakstan, Kyrgyzstan, Liechtenstein, Malta, Republic of Korea, Republic of Moldova, Russian Federation, Sweden, Tajikistan, Togo, Ukraine

*Operative paragraph 4 was retained by 87 votes to 27, with 27 abstentions.*

**Mr. Lin** (Secretary of the Committee): The Committee will now vote on draft resolution A/C.1/51/L.37 as a whole. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahrain, Bangladesh, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burundi, Cambodia, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea,

Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Ireland, Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Malaysia, Maldives, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Samoa, San Marino, Saudi Arabia, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

*Against:*

Belgium, Canada, Czech Republic, France, Germany, Greece, Hungary, Italy, Luxembourg, Monaco, Netherlands, Poland, Portugal, Romania, Russian Federation, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

*Abstaining:*

Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Bulgaria, Croatia, Cyprus, Denmark, Estonia, Finland, Georgia, Iceland, Israel, Japan, Kazakstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Malta, Norway, Republic of Korea, Republic of Moldova, Tajikistan, Togo, Ukraine

*Draft resolution A/C.1/51/L.37, as a whole, was adopted by 94 votes to 22, with 29 abstentions.*

**The Chairman**: I shall now call on those representatives who wish to explain their vote.

**Mr. Sha Zukang** (China) (*interpretation from Chinese*): The Chinese delegation has just voted in favour of draft resolution A/C.1/51/L.37, entitled "Advisory Opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons". China has consistently advocated the complete prohibition and total elimination of nuclear weapons. From the very day China began to acquire nuclear weapons, it solemnly announced that at no time and under no circumstances would it be the first to use them.

China also made an unconditional commitment not to use or threaten to use nuclear weapons against non-nuclear-weapon States and nuclear-weapon-free zones. The delegation of China is of the view that the most realistic solution to the question of the non-use or the non-threat of use of nuclear weapons is to conclude legally binding international instruments through negotiation. We have on many occasions appealed to other nuclear-weapon States to join China in negotiating a treaty on the mutual non-first use of nuclear weapons and also to conclude a legally binding international instrument on the question of the non-use and the non-threat of use of nuclear weapons against non-nuclear-weapon States or nuclear-weapon-free zones. If these objectives are realized, the possibility of the use or threat of use of nuclear weapons will simply not exist.

The delegation of China believes that the International Court of Justice advisory opinion is not in itself the solution to the relevant issues. What is more important is to start negotiations as early as possible to conclude a legal instrument on the non-first use and the non-use of nuclear weapons, and on a complete prohibition of nuclear weapons. Therefore, the delegation of China did not participate in the voting on resolution 49/75 K at the forty-ninth session of the General Assembly. That resolution requested the International Court of Justice to render an advisory opinion on the legality of the threat or use of nuclear weapons. However, the delegation of China fully understands the legitimate concerns of non-nuclear-weapon States over the use of nuclear weapons.

Based on China's aforementioned position, and considering that the thrust of draft resolution A/C.1/51/L.37 is basically consistent with China's position on nuclear disarmament, the delegation of China voted in favour of this draft resolution.

**Mrs. Kurokochi** (Japan): I should like to explain Japan's abstention in the voting on the draft resolution contained in document A/C.1/51/L.37, entitled "Advisory Opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons". As I have stated before, Japan, which has experienced the calamity of atomic bombing, fervently hopes that nuclear weapons, which cause incomparable human suffering, will never again be used and firmly believes that continuous efforts should be made towards a nuclear-weapon-free world. Japan believes that because of nuclear weapons' immense power to cause destruction, death and injury to human beings, their use is clearly contrary to the spirit of humanity that gives international law its philosophical foundation.

The advisory opinion of the International Court of Justice that this draft resolution addresses demonstrates the complexity of the subject, which required careful and detailed deliberation on the basis of international law. Many separate and dissenting opinions by the judges were attached to it, reflecting the clear variety of opinions on this issue. We would therefore like to appraise carefully the implications that this advisory opinion might have for the international community's legal views of the use of nuclear weapons. We support the unanimous opinion of the judges of the International Court of Justice on the existing obligation to pursue nuclear disarmament and to conclude negotiations on that matter in good faith. Japan firmly believes that we must take concrete measures to achieve steady progress in nuclear non-proliferation and nuclear disarmament. This leads us to the conclusion that it is more important for the international community, as described in the Principles and Objectives for nuclear non-proliferation and disarmament, to commence as early as possible negotiations on a cut-off treaty, which is the next realistic measure following the successful conclusion of the Comprehensive Nuclear-Test-Ban Treaty, rather than to commence in 1997 negotiations leading to the conclusion of a nuclear weapons convention, which this draft resolution calls for.

**Mr. Rider** (New Zealand): New Zealand supported the decision in resolution 49/75 K seeking an advisory opinion from the International Court of Justice on the legality of the threat or use of nuclear weapons. We were pleased that the Court decided it was able to deliver an opinion on the issue put to it, and we found much of interest in its findings. Of special significance to my country, and a point we had emphasized in our own presentation to the Court, was the unanimous finding that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

We hope that the advisory opinion will serve as a reminder to the nuclear-weapon States of their responsibilities in this regard.

We were therefore pleased that the draft resolution we have just voted on chose to focus on this unanimous aspect of the Court's findings. In our view, the draft resolution reinforces the importance of fulfilling the obligation to pursue and conclude negotiations leading to complete nuclear disarmament.

As the New Zealand Minister of State said in his general debate address last September:

> "New Zealand believes that in 1997 all States, including nuclear-weapon States, should pursue negotiations on a phased programme of nuclear disarmament, with the ultimate goals of the complete elimination of nuclear weapons and a treaty on general and complete disarmament under strict and effective international control." *(Official Records of the General Assembly, Fifty-first Session, Plenary Meetings, 13th meeting, p. 2)*

The draft resolution just adopted allows for such a programme of intermediate steps towards the final goal of a convention banning nuclear weapons. It does not seek to impose any unrealistic time-bound framework on those negotiations.

My delegation was therefore able to support the text contained in document A/C.1/51/L.37 and the two operative paragraphs voted on separately.

**Mr. Aguirre de Cárcer** (Spain) (*interpretation from Spanish*): As regards draft resolution A/C.1/51/L.37, which we have just considered, my delegation would like to state that Spain, as a State party to the Statute of the International Court of Justice, holds in high esteem all of the activities of the Court. In this connection, it is studying with keen interest and in its totality the Court's advisory opinion of 8 July 1996 on the Legality of the Threat or Use of Nuclear Weapons.

My country is of the view, however, that the submission of the draft resolution that we have just considered does not serve the goal of the elimination of nuclear weapons. As we understand it, the draft's content makes selective use of the Court's advisory opinion, taking out of context certain of its elements. Spain fully supports ongoing efforts to reduce nuclear weapons with a view to their elimination and to the achievement of general and complete disarmament under strict and effective international control.

In this context, my country believes that at present the best way to contribute to the goal of the elimination of nuclear weapons through concrete, specific acts is by guaranteeing that recent achievements — such as the adoption of the Comprehensive Nuclear-Test-Ban Treaty and its opening for signature — are followed up by urgent negotiations aimed at concluding a convention prohibiting the production of fissile materials for nuclear weapons, and

by further advances in negotiations and agreements on the reduction of nuclear stockpiles, an area in which significant steps have been taken in recent years.

**Mr. O'Rourke** (Ireland): Ireland has voted in favour of the draft contained in document A/C.1/51/L.37, "Advisory Opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons".

Ireland considers that the examination by the Court of the question of the legality of the use of nuclear weapons has provided compelling arguments for further and deeper consideration of the moral and legal framework on which the possible use of nuclear weapons has been premised in the post-war period.

It is our view that the consensus finding of the Court, cited in operative paragraph 3 of the draft resolution, provides important and authoritative impetus for the international community to undertake now to pursue in good faith and bring to a conclusion negotiations leading to the elimination of nuclear weapons, in implementation of the express undertakings in article VI, of the Treaty on the Non-Proliferation of Nuclear Weapons.

We would have preferred that the draft resolution set down as its principal operative conclusion a firm call on the international community to consider further the fundamental and challenging questions that the advisory opinion poses. The particular means of pursuing negotiations leading to the elimination of nuclear weapons contained in operative paragraph 4 of the draft resolution are not the sole possible means of pursuing this end, and the vote has shown that they do not command the agreement of all delegations.

We have voted in favour of the draft resolution to underline our view that the present moment, in the wake of the Court's opinion, offers a particular opportunity for a new signal of resolve to pursue the goal of complete nuclear disarmament and to emphasize our firm intention to support all efforts in good faith to that end.

**Mr. Soares** (Portugal): Portugal would like to explain why it voted against draft resolution A/C.1/51/L.37, "Advisory Opinion of the International Court of Justice on the Legality of the Threat of Use of Nuclear Weapons".

First, I should like to recall our position of two years ago. when resolution 49/75 K was adopted. On that occasion, Portugal voted against requesting the International Court of Justice to render an advisory opinion on this question because we thought that, since a similar request had been made in 1993 by the World Health Assembly, an initiative on the part of the First Committee to ask the Court the same question could be viewed as an attempt to prejudice its opinion regarding the World Health Assembly request.

Though agreeing in principle with the ultimate goal of the elimination of nuclear weapons, Portugal cannot support a programme of nuclear disarmament such as the one proposed in some of the paragraphs of this draft resolution. In this regard, Portugal regrets that the Court's advisory opinion, which we consider very complex and balanced, is not fully contained in this draft resolution.

In conclusion, Portugal would like to stress the importance it continues to attach to the role of the International Court of Justice, an institution that deserves our utmost respect.

**Mr. Stephanou** (Greece) (*interpretation from French*): Greece would like to reiterate the respect and esteem it has for the International Court of Justice and for the preservation of its status, prestige and lofty mission.

Greece has always regarded the Court as an institution that is essential for the proper functioning of the United Nations and for the preservation of international peace and security.

Thus the fact that Greece was unable to support draft resolution A/C.1/51/L.37 has nothing to do with the advisory opinion of the Court but is based on the fact that the authors of the draft arbitrarily selected certain passages from the opinion. They saw fit, for reasons that are not legal in nature, to carry out a selective compilation of certain points contained in the Court's advisory opinion, thus altering it both in spirit and letter.

**Mr. Hajnoczi** (Austria): Austria just abstained in the voting on the draft resolution. We did so with regret because we have taken note with great interest of the advisory opinion of the International Court of Justice. We are in full agreement with the content of the consensus opinion of the Court that

> "There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control." *(A/51/4, para. 182)*

This is spelled out in article VI of the Treaty on the Non-Proliferation of Nuclear Weapons.

Austria furthermore urges an acceleration of the process of nuclear disarmament, which ultimately should lead to a nuclear weapons convention, as mentioned in operative paragraph 4. As pointed out in the report of the Canberra Commission on the Elimination of Nuclear Weapons and in other relevant approaches to achieving complete nuclear disarmament, a number of intermediate, but very concrete steps will have to be taken first. These will require the continuous, active and determined participation of the nuclear-weapon States. Unfortunately, these thoughts are not reflected in the draft resolution on which we have just taken action.

In this context, an early commencement of the cut-off negotiations, in the framework of the Conference on Disarmament and based on the mandate agreed upon, appears to us to be particularly important. In our view, the wording of operative paragraph 4 could be interpreted as endorsing the arguments that have delayed negotiations on a cut-off treaty. Such a treaty would constitute a further, significant step on our path towards a world free from the threat of nuclear weapons.

These considerations led us to abstain.

**Mr. Berdennikov** (Russian Federation) (*interpretation from Russian*): The Russian delegation voted against draft resolution A/C.1/51/L.37 as a whole. We believe it to be an inaccurate and incomplete reflection of the content of the 8 July 1996 advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons. In particular, the draft resolution was completely silent about the fact that in its advisory opinion, the Court did not reach the conclusion that there was an international law that in any way prohibited the use or the threat of use of nuclear weapons. Unfortunately, when drawing up A/C.1/51/L.37, its sponsors saw fit to take a selective and politicized approach to the advisory opinion, an approach that the Russian delegation cannot agree with. Furthermore, we are not at all certain that the approach taken in operative paragraph 4 of the draft resolution, with a view to resolving the problems of nuclear disarmament, is the most effective or indeed realistic way of moving towards this final goal at the present time.

**Mr. Achenbach** (Germany): The German delegation would like briefly to explain its vote on draft resolution A/C.1/51/L.37. The German delegation very much regrets that draft resolution A/C.1/51/L.37 makes use of the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons in a way that forced Germany to vote against the draft resolution as a whole.

Though we have opposed the draft resolution as it was introduced, my delegation attaches great importance to stressing that the German Government welcomes the thorough and balanced content of the advisory opinion of the International Court of Justice, and in particular — as is reflected in our vote on operative paragraph 3 — the German Government fully shares the conclusion of the Court quoted in operative paragraph 3 of the draft resolution. Therefore, despite our negative vote on the draft resolution as a whole, there can be no doubt about the high esteem in which Germany holds the International Court of Justice and, in particular, this advisory opinion.

**Mr. Kongstad** (Norway): I have asked to speak to explain Norway's abstention in the voting on draft resolution A/C.1/51/L.37. A global elimination of nuclear weapons is our ultimate objective. Legal codification of systematic and progressive efforts on the parts of nuclear-weapon States to reduce and eliminate those weapons is of great importance. We therefore support the objectives expressed in the text of the draft resolution. It is the Norwegian Government's view that the nuclear-weapon States have a particular obligation in this respect. Negotiations in multilateral forums should support them in their pursuit of this goal. In both its preambular and operative paragraphs, the draft resolution focuses on the Conference on Disarmament as the negotiating framework. This weakens the obligations of the nuclear-weapon States to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

We also consider that incomplete use has been made of the advisory opinion of the International Court of Justice concerning the Legality of the Threat or Use of Nuclear Weapons. The draft resolution quotes selectively from a complex advisory opinion. It has long been Norwegian policy that efforts to bring about international disarmament, with a view to eliminating nuclear weapons, is primarily a political task and that effective international verification is required to back it up.

In our view, the obligation of the nuclear-weapon States to reduce the role of nuclear weapons in international politics, as enshrined in the Treaty on the Non-Proliferation of Nuclear Weapons, should include full implementation of existing arms-control and disarmament agreements and an early start of negotiations on strategic reductions beyond those stipulations prescribed by START II. Such

negotiations should also involve, as appropriate, the other nuclear-weapon States. Efforts to strengthen control of all plutonium and highly enriched uranium, a ban on production of fissile material for weapons purposes, and greater openness about stocks of fissile material should be considered together, although without any kind of linkages. Efforts to increase transparency concerning nuclear-weapons arsenals could also play an important role in the context of international disarmament as a confidence-building measure.

Considerable progress towards nuclear disarmament has been made in recent years, but much remains to be done. We call on all the nuclear-weapon States to demonstrate by concrete action, unilaterally and in concert, that they are prepared to continue and strengthen their efforts to reach that ultimate objective, to which they are committed.

**Mr. Bjarme** (Sweden): I have asked to speak to explain my delegation's vote on the draft resolution contained in document A/C.1/51/L.37. The Swedish Government welcomes the advisory opinion of the International Court of Justice of 8 July 1996 on the Legality of the Threat or Use of Nuclear Weapons. The draft resolution just adopted by the Committee focuses on the consensus opinion by the Court that

> "There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control." *(A/51/4, para. 182)*

It is imperative that the momentum of recent years in nuclear disarmament be maintained and further strengthened. For this reason, my delegation voted in favour of the draft resolution. However, the Swedish Government welcomes and supports all efforts, in the appropriate forums, to achieve the complete elimination of nuclear weapons. In this regard, negotiations in the Conference on Disarmament and further effective measures by the nuclear-weapon States themselves both have an important role to play. My delegation would have preferred for this to have been better reflected in the text.

**Mr. Berguño** (Chile) *(interpretation from Spanish)*: A number of explanations of vote have stressed the fact that the draft resolution we have just adopted did not do justice fully to the advisory opinion of the International Court of Justice. Contradictorily, some of them aimed to detract from the significant scope of the advisory opinion.

It is not accurate to say that the International Court of Justice accepted that self-defence constitutes an exception to the prohibition on the threat or use of nuclear weapons.

As we all know, and as the representative of the United Kingdom acknowledged, the members of the Court did not achieve consensus on this specific issue. It is difficult to understand how or why the reference to the obligation to undertake and conclude negotiations in good faith on all aspects of nuclear disarmament can be considered selective.

It is not simply the doctrine of the Court but also a progressive trend in the international community, as considered in treaties and in the practices of States, that are contributing to establish a basis for this obligation, which is incumbent upon all countries. Specific and realistic ways and means of addressing that challenge may be open to discussion, but not the basic premise of the obligation to negotiate.

Some delegations have given quite interesting and specific examples of concrete initiatives to put this process into practice, but it is important to understand that there can be no areas here that are exclusive, reserved or off-limits to the action of the international community.

**Mr. Verdier** (Argentina) *(interpretation from Spanish)*: The delegation of Argentina wishes to explain its position on the draft resolution that we have just adopted, entitled "Advisory Opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons".

Argentina's abstention, which we regret, is based on the fact that the text of the draft resolution does not, in our opinion, reflect in a balanced and accurate way the advisory opinion of the International Court of Justice rendered on 8 July 1996.

We believe that the partial reflection of the advisory opinion in the context of the draft resolution, which covers other aspects of disarmament as well, detracts from the major contribution made by the Court in its finding regarding nuclear weapons.

In this respect, I should like in particular to highlight the important role played by the Court on this occasion. This role cannot be separated from the context in which the advisory opinion was requested.

**The Chairman:** The Committee will now proceed to take action on draft resolution A/C.1/51/L.16, contained in cluster 3.

Since no delegation wishes to make a general statement on this draft resolution or to explain its vote or position before the voting, the Committee will now take action on the draft resolution.

I call on the Secretary of the Committee.

**Mr. Lin** (Secretary of the Committee): Draft resolution A/C.1/51/L.16, entitled "Measures to curb the illicit transfer and use of conventional arms", was introduced by the representative of Afghanistan at the 16th meeting of the Committee on 6 November 1996. In addition to the sponsors listed in the draft resolution and those whose names appear in document A/C.1/51/INF.3, it was also sponsored by Haiti, Indonesia and Zimbabwe.

**The Chairman**: The sponsors of the draft resolution have expressed the wish that it be adopted by the Committee without a vote. Unless I hear any objection, I will take it that the Committee wishes to act accordingly.

*Draft resolution A/C.1/51/L.16 was adopted.*

**The Chairman:** I now call on those representatives wishing to explain their position on the draft resolution just adopted.

I see there are none.

When discussing the programme of work, I did not mention the draft resolutions contained in cluster 8. Therefore, if time permits, we will take action on those draft resolutions contained in that cluster.

The Committee will now consider those draft resolutions contained in cluster 4 on regional disarmament and security, namely, draft resolutions A/C.1/51/L.31 and A/C.1/51/L.44/Rev.1.

I will first call on those delegations wishing to make general statements on those draft resolutions contained in cluster 4.

**Mr. Kadrakounov** (Kyrgystan): We would like to make some general comments on the draft resolutions contained in cluster 4. My delegation will support these draft resolutions because we find that the issues they cover relate quite closely to the problems of our part of the world, and we welcome the proposed actions to strengthen peace and security at the regional and subregional levels.

Central Asia is the site of the bloodiest war — between Afghan rebels and Soviet troops — of the past generation. The region is now embroiled in civil wars in Afghanistan and Tajikistan, and its stockpiles of conventional weapons pose problems. The area also produces or acts as a conduit for much of the heroin reaching Europe. For these reasons alone, Central Asia cannot be ignored. The issues of security, stability and peace in the region are real problems.

An examination of the reduction of conventional forces in Europe shows that throughout history, States have sought to improve their security, save money and reduce the potential damage caused by war. A process aimed at future and eventually successful modernization may illustrate that cooperation, not confrontation, is the continuing basis for arms control. It would also demonstrate that mutual interests may be more compelling reasons for achieving such an agreement.

At the very basic level, essential aspects of such an agreement must include overall limits on equipment for each signatory, information exchange and intrusive verification regimes. It is our wish that this sort of agreement could be negotiated among the States of the region and beyond in a mutually agreed context of confidence-building measures.

The newly independent States of Central Asia have chosen to move forward despite the enormous challenges of the transformation of their economies and societies. Several initiatives — individual or collective — have been launched. There was a meeting in Nukus to address the Aral Sea crisis; Central Asian States met in Issyk-Kul to discuss issues of regional cooperation; and the Tashkent meeting seminar on the issues of security and cooperation in Central Asia was held with the support of the United Nations.

In other words, the region is committed to resolving its regional concerns on a regional basis. However, participants in this seminar recognized that special attention should be paid to such dangers and threats as inter-ethnic conflicts, drug trafficking, terrorism, illegal arms smuggling and forced migration. They agreed that to eradicate these threats, it was necessary to create an institutional basis for cooperation and to work out mechanisms for mutual action and the exchange of information in this field.

In this regard, I should like to draw the Committee's attention to the initiative put forward by the President of Kazakstan, Nursultan A. Nazarbaev, to convene a conference on interaction and confidence-building measures in Asia. Despite recent achievements, this idea has not been implemented as actively as it could have been because of the lack of strong support from the international community, regional organizations and countries of the area.

As members are aware, this sort of organization functions successfully in Europe. The Organization for Security and Cooperation in Europe (OSCE) is a good example of what can and must be done to foster neighbourly relations and mutual understanding. The OSCE deeply appreciates the fact that Central Asian States consider the idea of regional cooperation and security to be an integral part of establishing international security and stability in general.

As for the region of Central Asia, the decisive factor seems to be the creation of a reliable system of regional security, which would become a guarantee against the occurrence of new conflicts. The establishment of such a system is a long-term objective, and the expertise accumulated and the mechanisms operated by the OSCE and the United Nations could certainly be used.

The conference on interaction and confidence-building measures in Asia could set in motion a process that could establish a regional framework for preventive diplomacy and complement the efforts of the United Nations and other regional organizations.

**Ms. Arystanbekova** (Kazakstan) (*interpretation from Russian*): I have asked to speak in order to add to what was said by the representative of Kyrgyzstan. He was kind enough to draw the attention of our colleagues in the First Committee to the initiative of President Nazarbaev to convene a meeting on interaction and confidence-building in Asia. As members are aware, President Nazarbaev made this proposal at the forty-eighth session of the General Assembly.

We are constantly providing information to States Members of the United Nations and to our colleagues in the First Committee about the fact that this initiative has won wide support among the States of the Asian region. It has also found great support within the United Nations and the Organization for Security and Cooperation in Europe, a fact we mentioned in our statement in the general debate of the First Committee.

I should like once again to inform members of delegations to the First Committee that at the beginning of this year a meeting was held at Almaty at the level of vice-ministers for foreign affairs. Over 20 Asian States participated, including all the States of the Central Asian region, and started to consider the documents.

Before that meeting, they had in particular begun concerted work on a declaration on mutual relations between the States of the region. A special working group was created among the States that participated in that process, which group is now engaged in drawing up draft documentation that has been presented for consideration to the participants in that process.

This ad hoc working group held several meetings at Almaty. At the meeting I mentioned earlier, held at the level of vice-ministers for foreign affairs of over 20 Asian States, the decision was taken that a document would be prepared in the near future and a meeting of the States concerned would be held at the level of ministers for foreign affairs.

This initiative received strong support in the United Nations, including from the Secretary-General. I take this opportunity to express once again our gratitude to those States of the Asian region and of other regions of the world that supported this initiative by President Nazerbaev and that are working together with us to promote it.

I should like also to express our gratitude to the United Nations for the support it has given this initiative.

**The Chairman** (*interpretation from Russian*): I thank the representative of Kazakstan for the information she has given us about the initiative of the President of Kazakstan.

The Committee will now to take a decision on draft resolution A/C.1/51/L.31.

I now call on those delegations wishing to explain their vote before the voting.

**Mr. Sarna** (India): My delegation has requested a recorded vote on draft resolution A/C.1/51/L.31 and will, as in previous years, abstain in the voting on the draft resolution.

India recognizes the importance of the regional approach, which complements global approaches to disarmament. However, such regional approaches have to be governed by fundamental principles that have now been

endorsed by the United Nations. Those principles, and I need mention only some of them here today, indicate that States should define the region to which the arrangements apply. The arrangements should be freely arrived at and should take into account the full range of security concerns of the participating States.

Draft resolution L.31 takes note of those guidelines, but quotes them only selectively. Thus, in our view, it tends to distort the balance of concerns on which a regional approach to disarmament must be based. In its last preambular paragraph, for example, the draft resolution says that regional disarmament endeavours would enhance the security of smaller States. The security of all States needs to be taken into account if mutual trust and confidence are to be built. Without this, a regional approach cannot be credible.

For these reasons, India will abstain in the voting on this draft resolution.

**The Chairman:** The Committee will now take action on draft resolution A/C.1/51/L.31.

I call on the Secretary of the Committee to conduct the voting.

**Mr. Lin** (Secretary of the Committee): Draft resolution A/C.1/51/L.31, "Regional disarmament," was introduced by the representative of Pakistan at the 14th meeting of the Committee on 4 November 1996.

A recorded vote has been requested.

*A recorded vote was taken.*

*In favour*:

Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, Saudi Arabia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

*Against*:

None

*Abstaining*:

India

*Draft resolution A/C.1/51/L.31 was adopted by 145 votes to none, with 1 abstention.*

**The Chairman:** The Committee will now turn to draft resolution A/C.1/51/L.44/Rev.1. I call upon those delegations wishing to make statements in explanation of vote before the voting.

**Mr. Sarna** (India): My delegation would like to take this opportunity to explain its vote on draft resolution A/C.1/51/L.44/Rev.1. In previous years, when this draft resolution has been put forward India has abstained in the voting. This year, however, we find that the draft resolution contains some new elements and suffers from a number of shortcomings.

First, a regional approach must be arrived at freely when there is sufficient confidence among all the participants, militarily significant or not so significant, with larger or relatively smaller regional capabilities and the confidence that the agreements will serve their specific security interests.

Secondly, operative paragraph 2 of the draft resolution requests the Conference on Disarmament to formulate principles for regional agreement on conventional arms control. This, in our view, is not the task of the Conference on Disarmament, which is a negotiating body for global issues. In fact, we do not see the need for the formulation of any such principles by anybody, given the fact that guidelines and principles for regional approaches to disarmament have only very recently been formulated by the United Nations Disarmament Commission and endorsed by the General Assembly in 1993.

Thirdly, and most important from our point of view, the draft resolution now refers in its sixth preambular paragraph to proposals for conventional arms control in the context of South Asia. We have, as we have stated earlier, reservations about such a reference for several reasons. We do not regard South Asia as a region for purposes of security and disarmament. Such a narrow definition does not fully reflect the security concerns of all the States of South Asia.

For this reason, my delegation will vote against draft resolution L.44/Rev.1.

**The Chairman:** The Committee will now take action on draft resolution A/C.1/51/L.44/Rev.1.

I call upon the Secretary of the Committee to conduct the voting.

**Mr. Lin** (Secretary of the Committee): Draft resolution A/C.1/51/L.44/Rev.1, "Conventional arms control at the regional and subregional levels," was introduced by the representative of Pakistan at the 14th meeting of the Committee on 4 November 1996. In addition to the sponsors listed in the draft resolution and those appearing in document A/C.1/51/INF/3, the draft resolution is also sponsored by the following countries: Belgium, the Czech Republic, El Salvador, France, Germany, Italy, Norway, Portugal, Spain and the United Kingdom.

A recorded vote has been requested.

*A recorded vote was taken.*

*In favour*:

Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, Saudi Arabia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Yemen, Zambia, Zimbabwe

*Against*:

India

*Abstaining*:

Brazil, Cuba, Libyan Arab Jamahiriya, Venezuela

*Draft resolution A/C.1/51/L.44/Rev.1 was adopted by 144 votes to 1, with 4 abstentions.*

**The Chairman:** I now call on those delegations wishing to explain their vote or position.

**Mr. Rivero Rosario** (Cuba) *(interpretation from Spanish):* My delegation wishes to explain its position on draft resolution A/C.1/51/L.31 on regional disarmament, and on A/C.1/51/L.44/Rev.1, which deals with conventional arms control at the regional and subregional levels.

We voted in favour of draft resolution A/C.1/51/L.31 because, in general, it summarizes the important activities being carried out within the Disarmament Commission for the negotiation and conclusion of guidelines and recommendations for regional approaches to disarmament within the context of global security.

The delegation of Cuba considers that the draft resolution adequately reflects the interests of all delegations on this subject. It establishes clearly, among other elements, the link and interdependence that exists between the processes of nuclear and conventional disarmament, conventional disarmament at the global level, the specific features of each region — which must be taken into account — the need for initiatives and participation by all States of the region concerned in the search for agreements on regional disarmament, and the danger posed by the excessive accumulation of weapons by States over and above their legitimate defence needs.

Frankly speaking, my delegation considers that, in the light of the important achievement of the aforementioned guidelines and recommendations for regional approaches to disarmament, which gained the consensus of all delegations, it was unnecessary and, to some extent, counter-productive to have submitted, as on previous occasions, a text such as that contained in A/C.1/51/L.31, which covers the same subject of regional disarmament — even though, in this instance, it omits certain ideas that our delegation believes detract from the draft resolution and its balance.

For my delegation, as we indicated earlier, initiatives and participation by all the States of the region concerned in the negotiation and adoption of regional disarmament measures constitute a particularly important element, which is absent from the text of draft resolution A/C.1/51/L.31. Nonetheless, we did vote in favour of the draft, despite what was said earlier on.

I now wish to comment briefly on A/C.1/51/L.44/Rev.1. In our opinion, this text too singles out specific aspects of the question of regional approaches to disarmament in an unbalanced way. Certain sections refer to ideas to which we cannot subscribe insofar as they depart from what was negotiated.

In the preambular part, as in A/C.1/51/L.31, there is a problem with respect to the question of the participation of all — repeat "all" — States in the region in the process. In addition, the important and key consideration of taking into account the legitimate defence interests of all States is omitted. Also, in claiming that control of conventional arms should take place primarily at the regional and subregional levels, the draft resolution fails to mention not only the need for global control of nuclear weapons and other weapons of mass destruction, but also the influence and interrelationship between the global control process for conventional weapons.

Finally, as regards the operative part of the text, we believe that the Conference on Disarmament has important negotiations ahead of it, such as those on nuclear issues and nuclear disarmament in particular, and that the negotiating body should not be taking on tasks outside of its agenda that might divert its attention from this very important objective.

For these reasons, my delegation deemed it necessary to abstain in the voting on this draft resolution.

**The Chairman:** The Committee will now take a decision on draft resolutions contained in cluster 5 on confidence-building measures, including transparency in armaments: A/C.1/51/L.18 and A/C.1/51/L.47.

I now call on those delegations wishing to make general statements on draft resolutions contained in cluster 5.

**Mr. Bakala** (Congo) *(interpretation from French):* Following negotiations that we held with two delegations, at their request, and with a view to arriving at a consensus on the draft resolution before us, we would ask delegations not to take into consideration the amendment included in document A/C.1/51/INF/2 of 7 November 1996.

The amendment related to the beginning of paragraph 14 of the draft resolution, which reads as follows:

"*Reiterates its appeal* to Member States and governmental and non-governmental organizations ...".

At the request of a delegation, we had asked the Secretariat to introduce an amendment to add, after "Member States": "in particular Member States of the subregion of Central Africa".

We wish to withdraw that amendment, but we ask delegations to replace the phrase "*Reiterates its appeal*" with "*Appeals*". The text would now read:

"Appeals to Member States and governmental and non-governmental organizations to make additional

voluntary contributions to the Fund for the implementation of the programme of work of the Committee, particularly the measures and objectives referred to in paragraphs 8, 9 and 12 of this resolution".

**The Chairman:** The members of the Committee and Secretariat will take note of the statement by the representative of Congo.

Does any delegation wish to make a general statement? I see there are none. The Committee will therefore proceed to take action on draft resolution A/C.1/51/L.18. I wish to inform the Committee that there is a financial statement on this draft resolution, which will be circulated before we take action.

I now call on those delegations wishing to explain their vote or position before the voting.

**Mr. Al-Hariri** (Syrian Arab Republic) (*interpretation from Arabic*): My delegation would like to explain its position regarding draft resolution A/C.1/51/L.18, entitled "Transparency in armaments". My delegation fully supports the global trend towards building a world community free from the use or threat of use of force, and in which the principles of peace and justice prevail. While we affirm our intention to participate in any international endeavour that pursues negotiations in good faith to achieve that goal, we would like to point out that the draft resolution entitled "Transparency in armaments" does not take into account the special situation in the Middle East, where the Arab-Israeli conflict persists because of Israel's continued occupation of Arab territory and its refusal to implement relevant Security Council resolutions. The conflict continues also because Israel possesses the most lethal weapons of mass destruction and can manufacture and stockpile advanced and sophisticated weaponry locally. Therefore, transparency in the area of Israeli armaments is just the tip of the iceberg. Accordingly, my delegation will abstain in the voting on this draft resolution.

**Mr. Hasan** (Iraq): From the beginning, my delegation has abstained in the voting on draft resolutions on transparency in armaments, and this remains our position now. Draft resolution A/C.1/51/L.18 does not reflect the aspirations of Member States because the United Nations Register of Conventional Arms has not proved efficient in curbing the arms trade, nor did it establish the hoped-for transparency in the area of arms transfers. I will give an example: United States arms sales, which represented 13 per cent of the international arms trade before the end of the cold war, now represent 67 per cent of that trade. Between 1991 and 1994, United States arms sales stood at $83 billion. We hope that a new initiative will be launched to curb effectively the proliferation of arms sales.

**Mr. De Icaza** (Mexico) (*interpretation from Spanish*): My delegation will abstain in the voting on this draft resolution, as operative paragraph 5 invites the Conference on Disarmament to continue its work in the field of transparency in armaments. My delegation is of the view that the Conference on Disarmament has concluded and completed its mandate in this field and that a new mandate would have to be negotiated in order for it to continue to work in the field of transparency.

**The Chairman**: The Committee will now take action on draft resolution A/C.1/51/L.18.

A recorded vote has been requested.

I call on the Secretary of the Committee.

**Mr. Lin** (Secretary of the Committee): Draft resolution A/C.1/51/L.18, entitled "Transparency in armaments", was introduced by the representative of the Netherlands at the 16th meeting of the Committee, on 6 November 1996. In addition to the sponsors listed in the draft resolution and those that appear in document A/C.1/51/INF/3, it was also sponsored by Brazil and Burundi.

In connection with draft resolution A/C.1/51/L.18, entitled "Transparency in armaments", I wish, on behalf of the Secretary-General to place on record the following statement, which has no financial implications for the United Nations regular budget. In doing so, I wish to reaffirm the points made in a similar statement by the Secretariat at the time of the adoption of a draft resolution by the First Committee at the fiftieth session.

"By operative paragraphs 1, 3, 4 and 7 of draft resolution A/C.1/51/L.18, the General Assembly

'*Reaffirms its determination* to ensure the effective operation of the United Nations Register of Conventional Arms as provided for in paragraphs 7, 8, 9 and 10 of resolution 46/36 L;

'*Reaffirms* its decision, with a view to further development of the Register, to keep the scope of and participation in the Register under review and, to that end:

'(a) *Recalls* its request to Member States to provide the Secretary-General with their views on the continuing operation of the Register and its further development and on transparency measures related to weapons of mass destruction;

'(b) *Recalls* its request to the Secretary-General, with the assistance of a group of governmental experts to be convened in 1997, on the basis of equitable geographical representation, to prepare a report on the continuing operation of the Register and its further development, taking into account the report of the Disarmament Commission at its 1996 session on the subject of international arms transfers, the work of the Conference on Disarmament, the views expressed by Member States and the 1994 report of the Secretary-General on the continuing operation of the Register and its further development, with a view to a decision at its fifty-second session;

'*Requests* the Secretary-General to ensure that sufficient resources are made available for the Secretariat to operate and maintain the Register;

'*Also requests* the Secretary-General to report to the General Assembly at its fifty-second session on the progress made in implementing the present resolution'.

"The activities warranted in operative paragraph 3 (b) and 4 of the draft resolution are programmed in the programme budget for the 1996-1997 biennium under section 2 C.4., 'Disarmament'. It appears under subprogramme 3, 'Monitoring, analysis and studies', of programme 7 'Disarmament', of the medium-term plan for the period 1992-1997, as revised.

"Provisions have therefore been made in the programme budget for the biennium 1996-1997 which would permit the Centre for Disarmament Affairs to provide appropriate services to sessions of the group of governmental experts, to be held in New York. Resources have also been provided for three work-months of consultancy services to assist the group. Activities to be carried out would also concentrate on operating and maintaining the United Nations Register of Conventional Arms.

"Should the General Assembly adopt draft resolution A/C.1/51/L.18, its implementation would not require additional resources within the context of the 1996-1997 programme budget to undertake the activities requested in operative paragraphs 3(b) and 4 of the draft resolution."

**The Chairman:** I have been informed that separate votes have been requested for paragraphs 3 and 5.

I call on the representative of Myanmar, who wishes to speak on a point of order.

**Mr. Than** (Myanmar): It is my understanding that no request has been made on paragraph voting, but only on the draft resolution as a whole.

**The Chairman:** A request has been made by one delegation to have separate votes on operative paragraphs 3 and 5.

I call on the Secretary of the Committee to conduct the voting.

**Mr. Lin** (Secretary of the Committee): The Committee will now proceed to take action on operative paragraph 3 of the draft resolution.

**The Chairman:** I call on the representative of China, who wishes to speak on a point of order.

**Mr. Sha Zukang** (China) (*interpretation from Chinese*): I am sorry to interrupt voting. My delegation, upon the instruction of my Government, requests a separate vote on operative paragraphs 3(b) and 5 of the draft resolution contained in document A/C.1/51/L.18. My delegation does not request a separate vote on paragraph 3 as a whole.

**The Chairman:** We will vote separately on operative paragraph 3(b).

I call on the representative of the Russian Federation, who wishes to speak on a point of order.

**Mr. Berdennikov** (Russian Federation) (*interpretation from Russian*): With respect to the voting procedure, Mr. Chairman, I would appreciate your clarifying what we are voting on now. Are we voting on paragraph 3 as a whole or on paragraph 3(b)?

**The Chairman:** We are going to vote on operative paragraph 3(b).

I call on the representative of Pakistan, who wishes to speak on a point of order.

**Mr. Akram** (Pakistan): I should like to clarify the situation with respect to the voting. As I understand it now, there is a request for a separate vote on paragraph 3(b), but not on paragraph 3 as a whole. Therefore, this vote, which we thought on paragraph 3 as a whole, is null and void. I suggest that we cancel this vote, take another vote on paragraph 3(b) and then proceed.

**The Chairman:** I agree with the representative of Pakistan.

I call on the Secretary of the Committee for clarification.

**Mr. Lin** (Secretary of the Committee): A request has been made in connection with paragraph 3(b); therefore the display board will be cleared so that voting can resume.

The Committee will now proceed to take action on operative paragraph 3(b) of draft resolution A/C.1/51/L.18.

*A recorded vote was taken.*

*In favour*:

Afghanistan, Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chad, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Monaco, Mongolia, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Zambia, Zimbabwe

*Against*: None

*Abstaining*:

China, Cuba, Democratic People's Republic of Korea, India, Indonesia, Iran (Islamic Republic of), Lebanon, Mexico, Myanmar, Saudi Arabia, Syrian Arab Republic

*Operative paragraph 3(b) was retained by 124 votes to none, with 11 abstentions.*

**Mr. Lin** (Secretary of the Committee): The Committee will now proceed to take a recorded vote on operative paragraph 5 of draft resolution A/C.1/51/L.18.

*A recorded vote was taken.*

*In favour*:

Afghanistan, Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chad, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Monaco, Mongolia, Morocco, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania,

United States of America, Uruguay, Venezuela, Zambia, Zimbabwe

*Against*:
None

*Abstaining*:
China, Cuba, Democratic People's Republic of Korea, Egypt, Indonesia, Iran (Islamic Republic of), Lebanon, Libyan Arab Jamahiriya, Mexico, Myanmar, Nigeria, Saudi Arabia, Sri Lanka, Syrian Arab Republic

*Operative paragraph 5 was retained by 125 votes to none, with 14 abstentions.*

**Mr. Lin** (Secretary of the Committee): The Committee will now proceed to take a recorded vote on draft resolution A/C.1/51/L.18 as a whole.

*A recorded vote was taken.*

*In favour*:
Afghanistan, Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sudan, Suriname, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Zambia, Zimbabwe

*Against*:
None

*Abstaining*:
Algeria, Cuba, Democratic People's Republic of Korea, Egypt, India, Indonesia, Iran (Islamic Republic of), Lebanon, Libyan Arab Jamahiriya, Mexico, Myanmar, Saudi Arabia, Sri Lanka, Syrian Arab Republic, United Arab Emirates

*Draft resolution A/C.1/51/L.18, as a whole, was adopted by 133 votes to none, with 15 abstentions.*

**The Chairman:** I now call on those delegations wishing to explain their vote.

**Mr. Sha Zukang** (China) (*interpretation from Chinese*): In the view of the Chinese delegation and in the present international circumstances, it is impossible to have absolute transparency. Efforts to increase transparency that disregard specific conditions will not help to promote confidence, harmony, trust and security. Only proper and realistic transparency measures can help to promote trust among countries.

The United Nations Register of Conventional Arms may be such a measure. China has participated in the Register since its establishment. We note, however, that at present, not even half of the States Members of the United Nations participate in the Register and that international arms transfers have not been reduced because of the Register. Further studies are warranted to find out to what extent this regime has contributed to trust and security among countries.

In the view of the Chinese delegation, the most urgent task now is to sum up the experience gained and the lessons learned since the establishment of the Register and to determine the necessary measures to make it universal. At present, the time is not ripe to discuss the expansion of the scope of the Register, as this may weaken the results achieved thus far.

The member States of the Conference on Disarmament are currently holding consultations on next year's agenda. We prefer that a solution to this problem be reached

through full consultations among member States. Only by ensuring that priorities are respected will it be possible to discuss transparency measures. On this basis, the Chinese delegation voted in favour of draft resolution A/C.1/51/L.18 as a whole, but abstained on operative paragraphs 3(b) and 5.

**Mr. Than** (Myanmar): I should like to explain my delegation's vote on draft resolution A/C.1/51/L.18, entitled "Transparency in armaments". My delegation abstained in the voting on operative paragraphs 3(b) and 5, as well as on the draft resolution as a whole, for the following reasons. The Myanmar delegation believes that transparency in armaments is a desirable confidence-building measure provided that it is on a voluntary basis and is non-discriminatory and universal.

However, my delegation feels that more time is needed for Member States to carefully review and reassess this question in the light of the work of the Conference on Disarmament and of the governmental experts' group before taking any further steps in this direction.

Operative paragraph 3(b) of draft resolution A/C.1/51/L.18 would have the General Assembly request the Secretary-General, with the assistance of a group of governmental experts to be convened in 1997, to prepare a report on the continuing operation and further development of the United Nations Register of Conventional Arms. It is the view of my delegation that any further development or expansion of the Register at this juncture would be premature. This issue requires careful review and reassessment by Member States.

Operative paragraph 5 would have the General Assembly call upon the Conference on Disarmament to consider continuing its work undertaken in the field of transparency in armaments. In my delegation's view, the mandate for the Conference on Disarmament to deal with this issue, emanating from General Assembly resolution 46/36 L, has been exhausted. We do not think that the Conference on Disarmament can carry out much useful work on transparency in armaments at this stage, as it should be concentrating in 1997 on high-priority questions such as nuclear disarmament and a ban on fissile materials.

For these reasons, my delegation abstained in the voting on operative paragraphs 3(b) and 5, as well as on draft resolution A/C.1/51/L.18 as a whole.

**Mr. Kim** (Democratic People's Republic of Korea): My delegation has abstained in the voting on draft resolution A/C.1/51/L.18, as we did last year, in the belief that the United Nations Register of Conventional Arms does not serve disarmament.

It would be useful to look back at the past four years of the Register. Can the Register ensure transparency, and does transparency really contribute to disarmament?

Although the cold war has ended, the arms trade is thriving and the exporting countries are vying for the weapons market monopoly for their economic benefit.

The Register has registered only a small portion of the weapons transferred through the arms trade. At the same time, the Register has no influence at all over the big Powers and on certain developed countries, which are intentionally transferring weapons on a large scale to conflict areas — such as the Korean peninsula — in pursuit of their military and political purposes and for economic benefit.

We think the Register has not contributed to disarmament, but has served as an advertisement for the weapons-exporting countries, instigating competition among the developing countries to buy weapons. After four years of the Register, we still do not have a clear idea of its objective — whether it is to check arms transfers or to promote them.

The United Nations should consider something really useful for disarmament. We think the Register should be developed to include not only weapons traded but also weapons deployed in other countries and to promote their withdrawal.

**Mr. Yativ** (Israel): I should like to explain Israel's vote on draft resolution A/C.1/51/L.18, entitled "Transparency in armaments".

Israel was among the first countries to support the resolution that established the United Nations Register of Conventional Arms. It was also among the first to send its reports in accordance with that resolution and has continued to do so annually.

Transparency in armaments cannot achieve its goals unless all countries provide information and data, as required by the Register. This is a necessary prerequisite to evaluating its success and should be taken into account in any review of its further development.

While there continues to be a lack of full participation in the Register, it is proposed to further develop it and include transparency measures related to weapons of mass destruction. It is, however, Israel's view that the Register still has to stand up to the test of time. This includes full participation in it and the consolidation of the existing categories before further major changes are considered.

In this context, and with regard to A/C.1/51/L.18, Israel does not support the references made in the fourth preambular paragraph to military holdings and procurement through national production, nor does it support the reference in paragraph 3(a) to weapons of mass destruction.

Israel believes that additional countries of the Middle East must join the Register. Until such time as the full participation in the Register of the States of the region is achieved, it would be premature to enter into discussions of transparency in armaments issues beyond the categories agreed upon by the United Nations.

We hope that Israel's reservations will be taken into consideration, if the group of governmental experts is indeed convened in 1997.

**Mr. Purbo** (Indonesia): My delegation agrees in principle with the general thrust of draft resolution A/C.1/51/L.18. However, we do not believe that it is appropriate at this juncture for the Conference on Disarmament to continue its work in the field of transparency in armaments, as called for in operative paragraph 5. As that forum has now successfully concluded the Comprehensive Nuclear-Test-Ban Treaty, it is imperative for it to focus its attention on other priority items on its agenda dealing with nuclear issues.

It is for this reason that my delegation abstained in the voting on this draft resolution.

**Mr. Mesdoua** (Algeria) (*interpretation from French*): My delegation also would like to explain its vote on draft resolution A/C.1/51/L.18, entitled "Transparency in Armaments".

Algeria attaches great importance to the question of transparency in armaments and has always supported initiatives designed to promote genuine transparency. Nevertheless, my delegation regrets that once again this year it was unable to support the draft resolution, as preference continues to be given to dealing with this matter within the same frameworks, which we believe have demonstrated only a limited capacity to respond to States' expectations.

We also cannot continue to support the pursuit of initiatives that cannot provide a fresh incentive for efforts that are designed to establish a truly viable, effective and comprehensive system in order to promote genuine transparency in the military area.

Consequently, the Algerian delegation abstained in the voting on draft resolution A/C.1/51/L.18 as a whole.

**Mr. Sarna** (India): India has abstained in the voting on draft resolution A/C.1/51/L.18 as a whole, which we have just adopted, as well as on paragraph 3(b). I should like briefly to explain our position on this issue.

India agrees with the general thrust of the draft resolution, and we believe that transparency can contribute significantly to confidence-building and security among States. To that end, the establishment of the United Nations Register of Conventional Arms is an important achievement of the international community. India has supported this Register and has contributed to it annually since its inception.

We would have liked to support this draft resolution, but we could not because of the fact that in several paragraphs — including in paragraph 3(b) — it mentions the concept of the development of the Register. We feel that any hasty development or expansion of the Register at this stage is not likely to enhance the level of participation in this exercise. The Register — which is still in its early years — has shown only an annual response level of 80 to 90 States. Out of these, only 65 to 70 can be classified as regular participants.

The Register is also characterized by continuing operational problems and mismatches in reporting from importing and exporting States. These problems are typical of the early years of a mechanism and need to be addressed to achieve universal adherence to this norm before further development can be considered.

For this reason, we have abstained in the voting on paragraph 3(b) and on the draft resolution as a whole.

**Mr. Abdel Aziz** (Egypt): Many of us still recall the intensive negotiations that took place on the text of resolution 46/36 L. It is no secret that at that time there was already a significant divergence of views on the

substance of that resolution. This divergence of views continues to exist today.

Egypt stresses the need for certain basic requirements to be fulfilled if the Register is to become a truly significant confidence-building measure and thereby contribute to enhancing security and stability. This means that it must be a universal, comprehensive and non-discriminatory confidence-building measure. It must ensure equal rights and obligations for all States. It must address the legitimate security concerns of all States. It must provide the broadest degree of transparency in all fields of armaments in a non-selective manner, that is to say, conventional and non-conventional weapons.

These requirements have yet to be fulfilled.

The modest initial steps to establish the Register in 1991 were then recognized and accepted as a practical necessity, since the evolutionary nature of this mechanism was abundantly clear from resolution 46/36 L. There was also a prescribed time-frame for this evolution to be completed, that being the work of the 1994 group of governmental experts that was mandated to undertake this task. The group was not able to reach agreement on any aspect related to the Register's expansion. This failure to reach agreement on the development of the scope of the Register or on the expansion of the scope of the Register to include information on stockpiles and indigenous production capabilities or on the incorporation in the Register of weapons of mass destruction was a clear testimony of the lack of political will to embrace meaningfully the principle of transparency.

Egypt participated in the work of the group of experts with one sole objective, namely to study, assess, achieve and apply transparency in a comprehensive and non-discriminatory manner. Our contributions were helpful and were aimed at fully realizing the objective of the original resolution 46/36 L, which materialized following extensive consultations, in which my delegation participated.

We will continue to attach importance to the work of the group of experts towards attracting the widest possible participation and achieving true transparency. It is our sincere hope that the prospects for the eventual development of the Register in terms of expansion of its scope will become less remote and that the political will shall materialize into a willingness faithfully to embrace the principles and objectives of openness and transparency and apply them in a comprehensive and non-discriminatory manner.

It is for these reasons that Egypt abstained in the voting on the draft resolution this year.

**Mr. Rivero Rosario** (Cuba) (*interpretation from Spanish*): My delegation also would like to explain its position on draft resolution A/C.1/51/L.18, which has just been adopted.

Ever since the Register was established and went into effect, my country has been providing information annually regarding transfers of arms, in keeping with the categories established under the Register. We have thus been able to contribute to meeting the request that States report on their transfers.

Nonetheless, as my delegation has repeatedly stated, we think that this confidence-building measure needs to be further strengthened among our Member States. Four years of practical experience have shown that it has not yet attained the level of universality necessary to proceed to a progressive expansion of the scope of the Register. That is why the delegation of Cuba found it necessary to abstain. We believe that more time is needed to allow for a greater number of responses from Member States, so that we could then consider adjusting or improving the Register.

As regards paragraph 5, my delegation also found it necessary to abstain for two basic reasons. First, the Conference on Disarmament has completed its work on the question of transparency. Secondly, my delegation does not believe that the Conference on Disarmament should devote its time to the question of transparency in conventional armaments given the major challenges it faces in the field of negotiations — something that has been reiterated repeatedly by the international community — particularly concerning nuclear issues, and nuclear disarmament in particular.

For these reasons the delegation of Cuba had to abstain.

**Mr. Bakhit** (Sudan) (*interpretation from Arabic*): My delegation would like to explain its vote on draft resolution A/C.1/51/L.18, dealing with transparency in armaments.

The Sudan supported this draft because increased transparency in the field of armaments contributes to confidence-building, promotes security among States and helps to eliminate conflicts. However, the delegation of the Sudan would like to stress that the United Nations Register of Conventional Weapons, in its current state, itself needs more transparency and clarity. The data it is provided with

are scant and inaccurate. It is well known that as a result, a number of developing countries, such as the Sudan, cannot obtain conventional weapons even for perfectly legitimate reasons, such as defending their national sovereignty and unity.

Furthermore, we believe that countries manufacturing conventional weapons and exporting them selectively to developing countries should reduce their production, in terms of both quality and quantity. If we wish to end regional and national conflicts, States that export these conventional weapons should be forced to stop doing so.

Finally, we would like to emphasize the importance of having a register of weapons of mass destruction similar to the existing Register.

**Mr. Akram** (Pakistan): Pakistan supports the objectives of transparency in armaments. We report regularly to the United Nations Register of Conventional Arms. However, transparency is not a goal in itself. It should facilitate arms control and disarmament, balance and security, at both the regional and global levels. We therefore consider transparency to be an element of a broader approach to arms control and disarmament. We hope that following the discussions that were held during this session of the First Committee, particularly the thematic discussions on the issue of conventional weapons, that a broader approach can be evolved for conventional arms control at the regional and subregional levels. Encouraged by the understanding shown this initiative, we voted in favour of operative paragraphs 3(a) and 5 of draft resolution A/C.1/51/L.18.

We believe that the issue of transparency can be addressed by the Conference on Disarmament within the context of such a broader and comprehensive approach to conventional arms control and disarmament, especially at the regional and subregional levels, as approved under draft resolution A/C.1/51/L.44/Rev.1.

The proposals contained in A/C.1/51/L.18 do not prejudice any specific steps to be taken in future. They envisage a process which Pakistan can support. We therefore voted in favour of the draft resolution.

**Mr. Moradi** (Islamic Republic of Iran): I should like to explain why our delegation abstained in the voting on draft resolution A/C.1/51/L.18, "Transparency in armaments". The Islamic Republic of Iran supports transparency in armaments. We have participated in the United Nations Register of Conventional Arms since it was established in 1992. However, contrary to understandings reached in the negotiations that led to the adoption of resolution 46/36 L of 1991, and the content of this particular draft resolution, providing for phased transparency in armaments, including in nuclear weapons and other weapons of mass destruction as well as in conventional armaments, no concrete efforts have so far been made to expand the scope of the Register to include data on all categories of weapons.

Based on the operation of the Register over the past four years, there is no evidence that it has led to self-restraint in the transfer of conventional weapons, particularly on the part of the biggest suppliers of such weapons. No vigorous efforts have been made to promote full regional participation in the Register on an equal basis, especially in regions that account for most conventional arms transfers, such as the Middle East. Iran, as the country with the lowest number of conventional arms purchases in the Middle East, has participated actively in the United Nations Register of Conventional Arms. That has not been the case with other countries in the region.

With respect to specific elements in draft resolution A/C.1/51/L.18, we believe that the group of governmental experts to be convened in 1997 should be established on the basis of equitable political and geographical representation, so that countries that have not served on the group before will have a chance to contribute to its work.

With regard to operative paragraph 5 on continuation of the work of the Conference on Disarmament on transparency in armaments, we firmly believe that the Conference on Disarmament has already completed its mandate on this issue. If there is a new proposal to discuss transparency in armaments in the Conference on Disarmament, we are ready to consider it, provided that such a proposal also includes transparency in nuclear weapons, other weapons of mass destruction and conventional weapons, in a non-discriminatory manner.

**The Chairman:** The Committee will now proceed to take action on draft resolution A/C.1/51/L.47.

I call on the Secretary of the Committee.

**Mr. Lin** (Secretary of the Committee): Draft resolution A/C.1/51/L.47, entitled "Objective information on military matters, including transparency of military expenditures", was introduced by the representative of Germany at the 16th meeting of the Committee, on 6

November 1996. The sponsors are listed in the draft resolution and appear in document A/C.1/51/INF/3.

**The Chairman:** The sponsors of this draft resolution have expressed the wish that the Committee adopt it without a vote. If I hear no objection, I will take it that the Committee wishes to act accordingly.

*Draft resolution A/C.1/51/L.47 was adopted.*

**The Chairman:** I now call on those delegations wishing to explain their position on the draft resolution just adopted.

**Mr. Yativ** (Israel): Israel supports the cessation of the arms race and the reduction of military expenditures, and hopes that these, together with the conclusion of peace and security in the region of the Middle East, will be possible. Global reporting of military expenditures is viable only in a general context. More detailed reporting will require a regional settlement.

**Mr. Al-Hariri** (Syrian Arab Republic) (*interpretation from Arabic*): I should like to explain my country's position on draft resolution A/C.1/51/L.47. If this draft resolution had been put to a vote, my delegation would have abstained, because of our position on the question of transparency in armaments. We explained that position during discussion of draft resolution A/C.1/51/L.18.

**Mr. Ellahi** (Pakistan): As in the past, Pakistan has gone along with consensus on this draft resolution. However, I should like briefly to restate the position of my delegation, especially on the issue of military expenditures and some of the indices that are associated with judging national capabilities and expenditures. Pakistan has maintained its position, which was reaffirmed earlier when discussing the question of transparency in armaments, that we are in favour of a comprehensive approach to deal with conventional weapons, especially in the context of security at the regional level.

However, given the developments that have taken place, especially during this session, and the manner in which, during the thematic discussions, consideration has been given to the broader question of conventional arms, we believe that future consideration of issues, whether of transparency, expenditure on armaments or the question of conventional arms control at the regional and subregional levels, should be undertaken on a comprehensive basis.

**The Chairman:** Before adjourning the meeting, I should like to remind representatives that this afternoon the Committee will proceed to take a decision on draft resolutions contained in clusters 6, 7 and 8.

*The meeting rose at 1 p.m.*